

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ROBERT LEGG, on behalf of )  
himself and all others similarly situated, )  
 )  
Plaintiff, )  
v. )  
 )  
LEADERS LIFE INSURANCE COMPANY )  
 )  
Defendant. )

Case No. CIV-21-655-D

**ORDER**

Pending before the Court is Defendant's Motion to Dismiss Plaintiff's Complaint [Doc. No. 8]. In response, Plaintiff has filed an Amended Complaint [Doc. No. 9] pursuant to Fed. R. Civ. P. 15(a)(1)(B). Upon consideration, the Court finds Defendant's Motion directed at Plaintiff's original pleading is moot. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *Predator Int'l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180-81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007).

**IT IS THEREFORE ORDERED** that Defendant's Motion to Dismiss [Doc. No. 8] is **DENIED** without prejudice to a new filing in response the Amended Complaint.

**IT IS SO ORDERED** this 1<sup>st</sup> day of October 2021.



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TIMOTHY D. DeGIUSTI  
Chief United States District Judge